

AMENDED IN SENATE JANUARY 14, 2016

AMENDED IN SENATE JANUARY 4, 2016

SENATE BILL

No. 66

Introduced by ~~Senator~~ *Senators Leyva and McGuire*

January 7, 2015

An act to add Section 463 to the Business and Professions Code, and to amend ~~Sections 69439 and~~ *Section* 88650 of the Education Code, relating to career technical education.

LEGISLATIVE COUNSEL'S DIGEST

SB 66, as amended, Leyva. Career technical education.

(1) Existing law establishes various career technical education programs, including regional occupational centers and programs, specialized secondary programs, partnership academies, and agricultural career technical education programs. Existing law provides for numerous boards, bureaus, commissions, or programs within the Department of Consumer Affairs that administer the licensing and regulation of various businesses and professions.

This bill would require the department to make ~~available~~ *available, only to the extent specified*, to the Office of the Chancellor of the California Community ~~Colleges~~ *Colleges*, any licensure information that the department has in electronic format for its boards, bureaus, commissions, or programs ~~to enable for the sole purpose of enabling~~ the office of the chancellor to measure employment outcomes of students who participate in career technical education programs offered by the California Community Colleges and recommend how these programs may be improved.

~~(2) The Cal Grant Program establishes Cal Grant C awards, which may be used only for occupational or technical training in a course of~~

~~not less than 4 months, under the administration of the Student Aid Commission. Existing law requires the maximum award amount and the total amount of funding for Cal Grant C awards to be determined each year in the annual Budget Act.~~

~~Unless adjusted in the annual Budget Act, this bill would set the maximum Cal Grant C award amount for tuition and fees at \$2,462 and for access costs at \$3,000.~~

~~(3)~~

(2) Existing law requires the Chancellor of the California Community Colleges to implement performance accountability outcome measures for the California Community Colleges Economic and Workforce Development Program.

This bill would urge the chancellor to align these measures with the performance accountability measures of the federal Workforce Innovation and Opportunity Act.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The economic competitiveness of California is fueled by the
4 strength of regional economies and their skilled workers. Upward
5 social and economic mobility and increased opportunities keep
6 the state's economy diversified and vibrant.

7 (b) The pathway out of poverty for millions of California
8 residents is the attainment of industry-valued "middle skill
9 credentials," which is defined as a job requiring a certificate,
10 associate's degree, or third-party credential that is less advanced
11 than a bachelor's degree, but more advanced than a high school
12 diploma.

13 (c) Middle skill credentials serve as the gateway for a large
14 number of careers in the state's prioritized and emergent industry
15 sectors.

16 (d) The California Community Colleges Board of Governor's
17 Task Force on Workforce, Job Creation, and a Strong Economy,
18 also referred to as the Strong Workforce Task Force, identified 25
19 policy and strategy recommendations to help close the gap on these
20 middle skill credentials.

(e) The recommendations built upon the foundation established by the California Community Colleges Economic and Workforce Development Program in Part 52.5 (commencing with Section 88600) of Division 7 of Title 3 of the Education Code, the Office of the Chancellor of the California Community Colleges Doing What MATTERS for Jobs and the Economy framework, and the federal Workforce Innovation and Opportunities Act (Public Law 113-128).

(f) With the enactment of the federal Workforce Innovation and Opportunity Act (Public Law 113-128), California agencies receiving workforce-related funds have adopted the following common program strategies articulated by the California Workforce Investment Board:

(1) Partnering in sector strategies to ensure training programs are relevant to the economy.

(2) Building career pathways to increase access, flexibility, and facilitated navigation of training and education programs.

(3) Utilizing “earn and learn” to increase simultaneous access to income and training for those who cannot afford full-time education.

(4) Organizing regionally to benefit from economies of scale, recognizing gains when labor markets and industry are organized regionally.

(5) Providing supportive services to remove barriers to program completion and employment.

(6) Creating cross-system data capacity to ensure effective use of resources.

(7) Integrating service delivery and braiding of resources to optimize limited resources and make use of program specializations to better serve individuals.

SEC. 2. Section 463 is added to the Business and Professions Code, to read:

463. (a) The department shall make available to the Office of the Chancellor of the California Community Colleges any licensure information that the department has in electronic format for its boards, bureaus, commissions, or programs to enable the office of the chancellor to measure employment outcomes of students who participate in career technical education programs offered by the California Community Colleges and recommend how these programs may be improved. *Licensure information made available*

1 *by the department pursuant to this section shall not be used for*
2 *any other purpose.*

3 (b) ~~The department may make available confidential information~~
4 ~~pursuant to subdivision (a) only to the extent that making the~~
5 ~~information available is in compliance~~ *complies* with state and
6 federal privacy laws.

7 (c) *The department may, by agreement, condition or limit the*
8 *availability of licensure information pursuant to subdivision (a)*
9 *in order to ensure the security of the information and to protect*
10 *the privacy rights of the individuals to whom the information*
11 *pertains.*

12 (d) *All of the following apply to the licensure information made*
13 *available pursuant to subdivision (a):*

14 (1) *It shall be limited to only the information necessary to*
15 *accomplish the purpose authorized in subdivision (a).*

16 (2) *It shall not be used in a manner that permits third parties*
17 *to personally identify the individual or individuals to whom the*
18 *information pertains.*

19 (3) *Except as provided in subdivision (e), it shall not be shared*
20 *with or transmitted to any other party or entity without the consent*
21 *of the individual or individuals to whom the information pertains.*

22 (4) *It shall be protected by reasonable security procedures and*
23 *practices appropriate to the nature of the information to protect*
24 *that information from unauthorized access, destruction, use,*
25 *modification, or disclosure.*

26 (5) *It shall be immediately and securely destroyed when no*
27 *longer needed for the purpose authorized in subdivision (a).*

28 (e) *The department or the Office of the Chancellor of the*
29 *California Community Colleges may share licensure information*
30 *with a third party who contracts to perform the function authorized*
31 *in subdivision (a), if the third party is required by contract to*
32 *follow the requirements of this section.*

33 ~~SEC. 3. Section 69439 of the Education Code is amended to~~
34 ~~read:~~

35 ~~69439. (a) For the purposes of this section, the following terms~~
36 ~~have the following meanings:~~

37 (1) ~~“Career pathway” has the same meaning as set forth in~~
38 ~~Section 88620.~~

39 (2) ~~“Economic security” has the same meaning as set forth in~~
40 ~~Section 14005 of the Unemployment Insurance Code.~~

1 ~~(3) “Industry cluster” has the same meaning as set forth in~~
2 ~~Section 88620.~~

3 ~~(4) “Long-term unemployed” means, with respect to an award~~
4 ~~applicant, a person who has been unemployed for more than 26~~
5 ~~weeks at the time of submission to the commission of his or her~~
6 ~~application.~~

7 ~~(5) “Occupational or technical training” means that phase of~~
8 ~~education coming after the completion of a secondary school~~
9 ~~program and leading toward recognized occupational goals~~
10 ~~approved by the commission.~~

11 ~~(b) A Cal Grant C award shall be utilized only for occupational~~
12 ~~or technical training in a course of not less than four months. There~~
13 ~~shall be the same number of Cal Grant C awards each year as were~~
14 ~~made in the 2000–01 fiscal year. The total amount of funding shall~~
15 ~~be determined each year in the annual Budget Act and the~~
16 ~~maximum award amount shall be in accordance with the following:~~

17 ~~(1) The maximum amount of an annual Cal Grant C award for~~
18 ~~tuition and fees shall not exceed two thousand four hundred~~
19 ~~sixty-two dollars (\$2,462).~~

20 ~~(2) The maximum amount of an annual Cal Grant C award for~~
21 ~~access costs shall not exceed three thousand dollars (\$3,000).~~

22 ~~(3) The maximum amount of a Cal Grant C award pursuant to~~
23 ~~paragraphs (1) and (2) may be adjusted in the annual Budget Act.~~

24 ~~(e) The commission may use criteria it deems appropriate in~~
25 ~~selecting students to receive grants for occupational or technical~~
26 ~~training and shall give special consideration to the social and~~
27 ~~economic situations of the students applying for these grants, giving~~
28 ~~additional weight to disadvantaged applicants, applicants who face~~
29 ~~economic hardship, and applicants who face particular barriers to~~
30 ~~employment. Criteria to be considered for these purposes shall~~
31 ~~include, but are not limited to, all of the following:~~

32 ~~(1) Family income and household size.~~

33 ~~(2) Student’s or the students’ parent’s household status,~~
34 ~~including whether the student is a single parent or child of a single~~
35 ~~parent.~~

36 ~~(3) The employment status of the applicant and whether the~~
37 ~~applicant is unemployed, giving greater weight to the long-term~~
38 ~~unemployed.~~

39 ~~(d) The Cal Grant C award recipients shall be eligible for~~
40 ~~renewal of their grants until they have completed their occupational~~

1 or technical training in conformance with terms prescribed by the
2 commission. A determination by the commission for a subsequent
3 award year that the program under which a Cal Grant C award was
4 initially awarded is no longer deemed to receive priority shall not
5 affect an award recipient's renewal. In no case shall the grants
6 exceed two calendar years.

7 (e) ~~Cal Grant C awards may be used for access costs, as defined~~
8 ~~in subdivision (b) of Section 69432.7, and training-related costs,~~
9 ~~such as special clothing, required tools and equipment, and~~
10 ~~institutional charges. In determining the individual award amounts,~~
11 ~~the commission shall take into account the financial means~~
12 ~~available to the student to fund his or her course of study and costs~~
13 ~~of attendance as well as other state and federal programs available~~
14 ~~to the applicant.~~

15 (f) (1) ~~To ensure alignment with the state's dynamic economic~~
16 ~~needs, the commission, in consultation with appropriate state and~~
17 ~~federal agencies, including the Economic and Workforce~~
18 ~~Development Division of the Office of the Chancellor of the~~
19 ~~California Community Colleges and the California Workforce~~
20 ~~Investment Board, shall identify areas of occupational and technical~~
21 ~~training for which students may utilize Cal Grant C awards. The~~
22 ~~commission, to the extent feasible, shall also consult with~~
23 ~~representatives of the state's leading competitive and emerging~~
24 ~~industry clusters, workforce professionals, and career technical~~
25 ~~educators, to determine which occupational training programs and~~
26 ~~industry clusters should be prioritized.~~

27 (2) (A) ~~Except as provided in subparagraph (B), the areas of~~
28 ~~occupational and technical training developed pursuant to~~
29 ~~paragraph (1) shall be regularly reviewed and updated at least~~
30 ~~every five years, beginning in 2012.~~

31 (B) ~~By January 1, 2016, the commission shall update the priority~~
32 ~~areas of occupational and technical training.~~

33 (3) (A) ~~The commission shall give priority in granting Cal~~
34 ~~Grant C awards to students pursuing occupational or technical~~
35 ~~training in areas that meet two of the following criteria pertaining~~
36 ~~to job quality:~~

37 (i) ~~High employer need or demand for the specific skills offered~~
38 ~~in the program.~~

39 (ii) ~~High employment growth in the occupational field or~~
40 ~~industry cluster for which the student is being trained.~~

1 (iii) High employment salary and wage projections for workers
2 employed in the occupations for which they are being trained.

3 (iv) The occupation or training program is part of a
4 well-articulated career pathway to a job providing economic
5 security.

6 (B) To receive priority pursuant to subparagraph (A), at least
7 one of the criteria met shall be specified in clause (iii) or (iv) of
8 that subparagraph.

9 (g) The commission shall determine areas of occupational or
10 technical training that meet the criteria described in paragraph (3)
11 of subdivision (f) in consultation with the Employment
12 Development Department, the Economic and Workforce
13 Development Division of the Office of the Chancellor of the
14 California Community Colleges, and the California Workforce
15 Investment Board using projections available through the Labor
16 Market Information Data Library. The commission may supplement
17 the analyses of the Employment Development Department's Labor
18 Market Information Data Library with the labor market analyses
19 developed by the Economic and Workforce Development Division
20 of the Office of the Chancellor of the California Community
21 Colleges and the California Workforce Investment Board, as well
22 as the projections of occupational shortages and skills gap
23 developed by industry leaders. The commission shall publish, and
24 retain, on its Internet Web site a current list of the areas of
25 occupational or technical training that meet the criteria described
26 in paragraph (3) of subdivision (f), and update this list as necessary.

27 (h) Using the best available data, the commission shall examine
28 the graduation rates and job placement data, or salary data, of
29 eligible programs. Commencing with the 2014–15 academic year,
30 the commission shall give priority to Cal Grant C award applicants
31 seeking to enroll in programs that rate high in graduation rates and
32 job placement data, or salary data.

33 (i) (1) The commission shall consult with the Employment
34 Development Department, the Office of the Chancellor of the
35 California Community Colleges, the California Workforce
36 Investment Board, and the local workforce investment boards to
37 develop a plan to publicize the existence of the grant award
38 program to California's long-term unemployed to be used by those
39 consulting agencies when they come in contact with members of
40 the population who are likely to be experiencing long-term

1 unemployment. The outreach plan shall use existing administrative
2 and service delivery processes making use of existing points of
3 contact with the long-term unemployed. The local workforce
4 investment boards are required to participate only to the extent
5 that the outreach efforts are a part of their existing responsibilities
6 under the federal Workforce Investment Act of 1998 (Public Law
7 105-220).

8 (2) The commission shall consult with the Workforce Services
9 Branch of the Employment Development Department, the Office
10 of the Chancellor of the California Community Colleges, the
11 California Workforce Investment Board, and the local workforce
12 investment boards to develop a plan to make students receiving
13 awards aware of job search and placement services available
14 through the Employment Development Department and the local
15 workforce investment boards. Outreach shall use existing
16 administrative and service delivery processes making use of
17 existing points of contact with the students. The local workforce
18 investment boards are required to participate only to the extent
19 that the outreach efforts are a part of their existing responsibilities
20 under the federal Workforce Investment Act of 1998 (Public Law
21 105-220).

22 (j) (1) Notwithstanding Section 10231.5 of the Government
23 Code, the Legislative Analyst's Office shall submit a report to the
24 Legislature on the outcomes of the Cal Grant C program on or
25 before April 1, 2015, and on or before April 1 of each
26 odd-numbered year thereafter. This report shall include, but not
27 necessarily be limited to, information on all of the following:

28 (A) The age, gender, and segment of attendance for recipients
29 in two prior award years.

30 (B) The occupational and technical training program categories
31 prioritized.

32 (C) The number and percentage of students who received
33 selection priority as defined in paragraph (3) of subdivision (f).

34 (D) The extent to which recipients in these award years were
35 successfully placed in jobs that meet local, regional, or state
36 workforce needs.

37 (2) For the report due on or before April 1, 2015, the Legislative
38 Analyst's Office shall include data for two additional prior award
39 years and shall compare the mix of occupational and technical
40 training programs and institutions in which Cal Grant C award

1 recipients enrolled before and after implementation of subdivision
2 (f):

3 ~~(3) A report to be submitted pursuant to this subdivision shall~~
4 ~~be submitted in compliance with Section 9795 of the Government~~
5 ~~Code.~~

6 ~~SEC. 4.~~

7 *SEC. 3.* Section 88650 of the Education Code is amended to
8 read:

9 88650. (a) The chancellor shall implement performance
10 accountability outcome measures for the economic and workplace
11 development program that provide the Governor, Legislature, and
12 general public with information that quantifies employer and
13 student outcomes for those participating in the program. These
14 performance accountability measures should, to the extent possible,
15 align with the performance accountability measures of the federal
16 Workforce Innovation and Opportunity Act (Public Law 113-128).

17 (b) The chancellor shall submit a report to the Governor and
18 Legislature on or about March 1 of each year. This report shall
19 include, but not necessarily be limited to, both of the following:

20 (1) Sufficient information to ensure the understanding of the
21 magnitude of expenditures, by type of expenditure, including those
22 specified in Section 88625, disaggregated by industry sector or
23 cluster, region, and type of grant.

24 (2) Data summarizing outcome accountability performance
25 measures required by this section.